

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER OF PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

IFW



DATE: March 23, 2005

**PATENT
MAIL STOP AMENDMENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application Of : Group Art Unit:
Darwin J. Prockop, *et al.* : 1632
Serial No.: 10/608,997 :
Filed: August 6, 2002 :
For: ISOLATED STROMAL CELLS FOR USE IN THE : Attorney Docket No.:
TREATMENT OF DISEASES OF THE CENTRAL : 053844-5002CT1
NERVOUS SYSTEM : (53844-5002-01)

RESPONSE TO RESTRICTION REQUIREMENT

This Response is responsive to the Restriction Requirement mailed on February 23, 2005 in connection with the above-captioned application. This Response is being timely filed.

Responsive to the Restriction Requirement, Applicants hereby elect to prosecute the claims of Group I, claims 1-8 and 16-18, drawn to a method of directing the differentiation of an isolated stromal cell into a neural cell in a human patient suffering from a disease, disorder or condition of the central nervous system. This election is made without traverse and without prejudice to the inclusion of the subject matter of the non-elected claims in any later-filed divisional or continuation application(s).

Per a telephone conference between the Examiner and Applicants' representative, Quang Nguyen, it was agreed that the election of Group I, claims 1-8 and 16-18 in response to the present Restriction Requirement applies to the claims presented in the Second Preliminary Amendment filed on October 10, 2003. The Second Preliminary Amendment was apparently not entered into the record by the Patent Office. A copy of this Amendment and the date stamped received postcard sent back by the Patent Office is included with this Response for the Examiner's convenience.